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**TELECOPIER TRANSMISSION**

OFFICIAL

TO: THE UNITED STATES PATENT OFFICE  
FROM: Marianthi Giakoumakis, Applicant  
Fax No.: (703) 872-9306  
No. Pages: 9  
Re: Patent Application Number 08/876,437  
Applicant's Response to Substance of Telephone Interview Summaries dated  
May 20, and May 25, 2004, respectively, as submitted by Patent Examiner Ms.  
Kelly Campen.

<b>Interview Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	08/876,437	GIAKOUMAKIS, MARIANTHI
	Examiner Kelly Campen	Art Unit 3624 M/C

All participants (applicant, applicant's representative, PTO personnel):

(1) Kelly Campen (3) \_\_\_\_\_

(2) Marianthi Giakoumakis (4) \_\_\_\_\_

Date of Interview: 20 May 2004.

Type: a) Telephonic b) Video Conference  
c) Personal [copy given to: 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No.  
If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: 10-15.

Identification of prior art discussed: n/a.

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Examiner informed applicant of extension of time fees and the extendable until June 16, 2004. Examiner advised applicant to seek the counsel of a Patent Attorney. Applicant indicated a desire to file a divisional application but Examiner advised that if Applicant intended to amend the specification with new matter, a CIP (continuation-in-part) should be filed instead.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.



Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Marianthi Giakoumakis  
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E-mail: [mgiamakis1@yahoo.ca](mailto:mgiamakis1@yahoo.ca)

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July 02, 2004

UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Re: Applicant's Response to Substance of Telephone Interview Summary by Examiner Kelly Campen, dated May 20, 2004, and mailed to Applicant June 02, 2004, and cited as Paper No. 32 (Form No: PTOL-413), Applicant condensed the following notes from her typing notes of the same telephone interview with patent examiner Kelly Campen; In the application of GIAKOUUMAKIS, Marianthi; Application number 08/876,437; Filed on date of June 16, 1997; For title of NON-SURGICAL METHOD FOR BREAST AUGMENTATION;

Above-named application under examination with:  
Group Art Unit: 3624;  
Examiner: Kelly Campen.

Applicant would first and foremost like to thank the patent examiner, Ms. Kelly Campen, for taking the time to discuss the above-said patent application. I appreciate it.

1. Applicant told patent examiner of having recently found another medical doctor interested to conduct the study in order to furnish proof as requested in patent examiner's office action dated December 16, 2003;
2. Applicant told patent examiner of having already done a study in Oregon, U.S.A., but has not been furnished with the report from the study conducted with one volunteer;
3. Applicant told patent examiner of needing more time to shore up enough money in order to get the study done;
4. Applicant told patent examiner of wanting to add several improvements in the future to the patent such as a mechanical device to speed up delivery of the first ingredient. Also mentioned to patent examiner was a carrier or a booster such as a chemical or plant derivative, such as Dimethyl Sulfoxide (D.M.S.O.) mentioned to patent examiner as one possibility in order to speed up delivery of the first ingredient.

Should you have any questions, please contact me in writing at: Marianthi Giakoumakis  
321 Caisse,  
Montreal, Quebec  
H4G 3M3 CANADA

Thank-you once again for your time.

Sincerely,

*Marianthi Giakoumakis*

Marianthi Giakoumakis,  
Applicant.

<b>Interview Summary</b>	<b>Application No.</b> 08/876,437	<b>Applicant(s)</b> GIAKOUMAKIS, MARIANTHI
	<b>Examiner</b> Kelly Campen	<b>Art Unit</b> 3624

All participants (applicant, applicant's representative, PTO personnel):

(1) Kelly Campen.

(3) \_\_\_\_\_

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(2) GIAKOUMAKIS, MARIANTHI.

(4) \_\_\_\_\_

OFFICIAL

Date of Interview: 25 May 2004.

Type: a) Telephonic b) Video Conference  
c) Personal [copy given to: 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No.  
If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: 10-15.

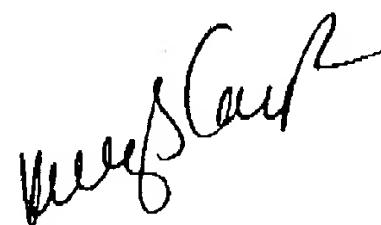
Identification of prior art discussed: none.

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.



Examiner Note: You must sign this form unless it is an attachment to a signed Office action.

Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Examiner advised applicant to seek the counsel of a Patent Attorney. Applicant was advised of the fees to file and extension of time for response in the third month and the fees for filing an RCE, CIP, and Divisional application as well as the differences between each. Examiner advised the Applicant that the final date to respond to the outstanding office action of 12/16/03 is June 16, 2004. Applicant indicated that she has now received a Canadian and EPO patent on the instant application. EPO 1063961 and Candian 2213646. Examiner questioned if these were published applications or issued patents. Applicant claims they are both issued patents. Applicant also made reference to a patent in Australia. Applicant informed the Examiner that she is currently looking for a doctor willing to perform a scientific study for her invention to prove credibility. Discussed 112 first paragraph rejection and credible utility. Examiner directed applicant to the office actions dated 5/20/03 and 12/16/03 and the MPEP 2107.03. No agreement was reached. Did not discuss prior art rejection.



VINCENT MILLIN  
SUPERVISORY PATENT EXAMINER  
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July 02, 2004

UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Re: Applicant's Response to Substance of Telephone Interview Summary by Examiner Kelly Campen, dated May 25, 2004, and mailed to Applicant June 02, 2004, and cited as Paper No. 33 (Form No: PTOL-413), Applicant condensed the following notes from her typing notes of the same telephone interview with patent examiner Kelly Campen; In the application of GLAKOUMAKIS, Marianthi; Application number 08/876,437; Filed on date of June 16, 1997; For title of NON-SURGICAL METHOD FOR BREAST AUGMENTATION;

Above-named application under examination with:  
Group Art Unit: 3624;  
Examiner: Kelly Campen.

Applicant would first and foremost like to thank the patent examiner, Ms. Kelly Campen, for taking the time to discuss the above-said patent application.

1. Applicant told patent examiner about patent application in Australia and wondering if the same scenario would apply to this American patent application if applicant were to submit a divisional application;
2. Applicant told patent examiner that she had finally found a new doctor interested to conduct a study for this American patent application. The applicant told the patent examiner that a big issue has been finding the doctor in order to conduct the study, and has recently finally found a new doctor;
3. Applicant told patent examiner of having been already granted a Canadian, United Kingdom, and a European patent for same as this above-said American patent application, and patent examiner recommended filing a copy of these granted patents and any art that they may have referenced the next time that applicant responds to an office action;
4. Applicant again re-iterated that the delay for this current American patent application has been finding a doctor, and that applicant has now found a doctor interested to do the study, and that really, sincerely, the real issue of the delay in getting the study done was finding a doctor to do the study. Applicant mentioned Dr. Lehrburger in Oregon, applicant mentioned Gitté S. Jensen as the people involved in the study in Oregon and that applicant has not been furnished with a report for the study conducted on only one volunteer so far in Oregon, and that applicant had trouble even getting any volunteers at all for the study conducted in Oregon, and that furthermore a few days before going to Oregon applicant emailed questions such as how many volunteers were there for the study and the reply by email was that they were working on twenty volunteers, when applicant reached Oregon a few days later there were none;

Page 1 of 4

USPTO Patent Application 08/876,437  
Applicants response to Telephone Interview Summary,  
dated May 25, 2004 with Patent Examiner Kelly Campen

5. Patent examiner mentioned that one person would not be enough in order to grant the patent, and that should applicant show the patent examiner the data, the patent examiner would have no problem once applicant has shown proof to the patent examiner upon a number of people that this works, because patent examiner finds this "incredible" and "it's new";
6. Applicant told examiner that with this current doctor interested to do the study, applicant can get this study done because she does not have to go all the way to Oregon in order to do it, and will find the volunteers for the study herself;
7. Applicant told patent examiner the simple study that is planned to submit to the patent office as being the application at first of only the first ingredient on volunteers in order to show breast augmentation gained from application of the first ingredient, then, after one week, the expectation being that the volunteers have lost breast augmentation gained from the first ingredient and, having returned to the original breast size, they then re-apply the first ingredient and yet also apply the second ingredient this time, then wait another week in order to show that this time they have sustained the breast augmentation size gained from the first ingredient (Sidenote: applicant plans to have medical doctor attest to same as per MPEP 2107.03 mentioned in office action with mailing date of December 16, 2003);
8. Applicant again tells patent examiner about finding the new doctor, and how hard it was regarding trying to get the study done in Oregon a number of years ago;
9. Applicant told patent examiner that she never agreed to the changes that her old lawyer made to the current patent application, and that actually applicant wants to change the current patent application's claims to be the same as the granted European patent's claims, and patent examiner asks applicant if the European claims will reflect the same specification's as mentioned in the current American application, and that if applicant is not putting in anything new in it and just writing it differently, and that if applicant wants to file these claims she can do that;
10. Patent examiner tells applicant if she wants to just maintain the current American application, just to buy some time, that applicant can file a continuation. Applicant tells patent examiner that she remembers speaking to Mr. Vincent Millin, United States Patent Examination Supervisor, and Mr. Hani Kazimi, Acting Supervisor, in February 2004 and that applicant was very upset when speaking to Mr. Millin, and also Mr. Hani Kazimi, because her lawyer who had recused himself told her in the past that June 16, 2004 was absolutely and unequivocally the last date that for any extension whatsoever of this current patent application (and that at that time of speaking to Mr. Vincent Millin and Mr. Hani Kazimi in February 2004 applicant had not as of yet found another doctor to do the study);
11. Applicant further tells patent examiner she is confused because here they are now talking of more continuations and extensions. Patent examiner explains what the applicant's old lawyer must have meant as statutory time when speaking to the applicant about the date of June 16, 2004 as being the last date of the current American patent application;
12. Patent Examiner suggests that Applicant could do another R.C.E., and that would buy applicant about five more months of time, and that also applicant could then respond to that and that would also buy applicant even more time;

USPTO Patent Application 08/876,437  
Applicants response to Telephone Interview Summary,  
dated May 25, 2004 with Patent Examiner Kelly Campen

13. Patent Examiner tells applicant to file a C.I.P. in order to add in information regarding the mechanical and the booster improvements, and that by then applicant would be able to afford her attorney and get the study started;
14. Applicant tells patent examiner that she believes they are not at odds and that applicant believes the patent examiner would grant the study if applicant can prove that it works;
15. Applicant then mentions that she plans to do a divisional application, and applicant would use a window of opportunity in the future with the patent examiner in order to change the claims to the claims as in applicant's European patent as they have been granted and that applicant feels comfortable with those claims because they are on point and are exactly as what applicant is asking for in the patent application. Applicant again mentions wanting to add in the mechanical and the carrier/booster speeding up the delivery of the first ingredient;
16. Patent examiner informs applicant that if she wants to amend her application then applicant will have to file the C.I.P. , but a divisional only comes in if applicant wants to change her claims, and applicant informs patent examiner that this is what applicant wants to do, and patent examiner says that is fine and when applicant files a divisional then applicant has to file those claims too, so if applicant is ready to file those claims (European) and they're based on the original specification that the patent examiner has and there's nothing new, then applicant is fine and can do that;
17. Patent examiner informs applicant of various fees and then patent examiner informs applicant that she does not need to file a divisional if she does not put anything in it for right now and in that case to file an R.C.E. and that an R.C.E. would be an additional \$385.00, and patent examiner informs applicant that if applicant files an R.C.E. she will still get 2 more actions from the patent office and that this would give applicant more time, and patent examiner then informs applicant if applicant wants to go ahead with that, then after the patent examiner gives applicant a rejection, if applicant then wanted to amend the case and put in applicant's new claims applicant could do that if applicant does not have time to do it now then that's fine, or applicant could do the divisional now then that's fine, but it's the same amount of time for an R.C.E., a divisional, or a C.I.P.;
18. Applicant then asks the patent examiner that if applicant does anything wrong if there would be a notice of missing parts or if there was any kind of mistake that it would not "blow" the patent (meaning causing the patent application harm), and the patent examiner informs applicant that the patent office has to respond to the applicant and that the applicant would then get 1 month to respond to that;
19. Applicant mentions there have been difficulties in trying to get the patent(s) granted and also having approached a number of doctors to do the study and that there is really nothing stopping applicant now because she has found a doctor interested to do the study, and that in the past finding a doctor has been a huge issue and that sincerely this is why there have been so many delays and continuations in this American file. Applicant expresses hope for the good that will be done to women who will no longer have their lives threatened and that it was just amazing, and that it also worked on applicant herself and patent examiner responds by saying let's get it into a study and that if you feel it's going to work then that's great, and that at this point since applicant is under final then applicant needs to submit something by June 16<sup>th</sup>;

USPTO Patent Application 08/876,437  
Applicants response to Telephone Interview Summary,  
dated May 25, 2004 with Patent Examiner Kelly Campen

20. Applicant then mentions to patent examiner that she is most comfortable with filing a divisional because everything stays the same that there is no continuation in part and patent examiner responds by saying well so does an R.C.E. and that an R.C.E. is the same exact thing, and then patent examiner and applicant discuss fees;

21. Applicant then asks patent examiner some questions important to applicant for doing the study, questions asked of her old lawyer such as what are the parameters of the study, what does "credible asserted utility" mean and what is a "well established utility"? The patent examiner responds by saying those are good questions and that no one has ever asked those questions before and that the type of study they are looking for is anything you would find in a scientific journal or acceptable by the scientific community is acceptable to us, and that because this hasn't been seen in the scientific community, it is not well known, it is something new and incredible, and applicant responds to the patent examiner by saying well that's why it's patentable! Patent examiner then mentions that there are also improvements as well and those may already have studies, and applicant responds by saying that's why I mentioned the booster and the mechanical, then applicant wonders to the patent examiner if someone may be trying to take over the patent through improvement, like the lady in Oregon, and the patent examiner says that applicant is protected through applicant trying to get this patent from '96, and applicant then tells patent examiner of the emails between the lady in Oregon and applicant wherein the lady in Oregon says in the email she will furnish applicant with a report, and patent examiner says as long as applicant is keeping records of everything then you are protected and it sounds as if you are;

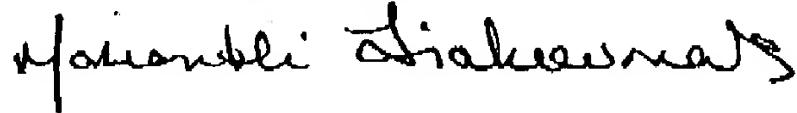
22. Patent examiner informs applicant that she could look up the terms of "credible asserted utility" etc. in the "M.P.E.P.", the "Manual of Patent Examining Procedure" under 2107.03, as mentioned in the patent examiner's office action;

23. The applicant's phone card has expired and so the applicant informs the patent examiner of same and asks the patent examiner if applicant could phone her again if she needs to and the patent examiner says yes and that she is generally available between 5:30am to 3:00pm;

24. Applicant thanks the patent examiner and tells her she is very helpful and patent examiner says applicant is very welcome and good luck. End of telephone interview.

One other thing that applicant would like to respectfully mention to the United States Patent Office is that patent examiner, Ms. Kelly Campen mentioned twice that applicant should get an attorney to represent her. Maybe there has been confusion, but I decided after receiving the 2 telephone interview reports of May 20 and 25 2004 that I would feel more comfortable to mention the substance of these telephone interviews as I knew them because you never know what might end up clarifying an issue in the future. Thank you very much once again, Ms. Kelly Campen, for taking your valuable time in order to speak to me and try to help me with my patent application. I hope that we can continue on to work together to have this wonderful invention's patent granted in the United States, for the good health and well being of America's women of today and for Her future generations.

Sincerely, and respectfully yours,



Marianthi Giakoumakis,  
Applicant.